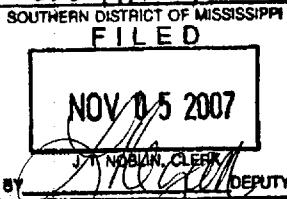


Case 2:07-md-01872-KS-MTP

Document 1 Filed 11/05/2007 Page 1 of 3



A CERTIFIED TRUE COPY

ATTEST

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FOR THE UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

23:35 qn - Opw 13- 3118

FILED  
CLERK'S OFFICE

**IN RE: WAYNE FARMS LLC FAIR LABOR  
STANDARDS ACT LITIGATION**

MDL No. 1872

2:06-cv-00951-MEF

**TRANSFER ORDER**

**Before the entire Panel:** Common defendant Wayne Farms LLC (Wayne Farms) has moved, pursuant to 28 U.S.C. § 1407, for coordinated or consolidated pretrial proceedings of this litigation in the Southern District of Mississippi. Plaintiffs in all actions support the motion.

This litigation currently consists of twelve actions listed on Schedule A and pending in four districts as follows: four actions each in the Middle District of Alabama and the Northern District of Alabama, and two actions each in the Northern District of Georgia and the Southern District of Mississippi.

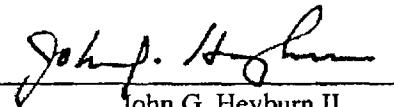
After considering all argument of counsel, we find that these twelve actions involve common questions of fact, and that centralization under Section 1407 in the Southern District of Mississippi will serve the convenience of the parties and witnesses and promote the just and efficient conduct of this litigation. All actions share factual questions arising out of similar allegations that certain Wayne Farms employees are entitled to compensation under the Fair Labor Standards Act (FLSA), 29 U.S.C. § 201, *et seq.* Centralization under Section 1407 will eliminate duplicative discovery; prevent inconsistent rulings on pretrial motions, including those with respect to certification of collective actions; and conserve the resources of the parties, their counsel and the judiciary.

Given that the actions are pending in nearby federal judicial districts in Alabama, Georgia, and Mississippi, any of the involved districts would be convenient for the parties and witnesses. We are persuaded that the Southern District of Mississippi is an appropriate transferee forum for this litigation. The Southern District of Mississippi has been advancing the actions efficiently with a large number of potential claimants. Additionally, all parties support centralization in this district.

IT IS THEREFORE ORDERED that, pursuant to 28 U.S.C. § 1407, the actions listed on Schedule A and pending outside the Southern District of Mississippi are transferred to the Southern District of Mississippi and, with the consent of that court, assigned to the Honorable Keith Starrett for coordinated or consolidated pretrial proceedings with the actions pending there and listed on Schedule A.

-2-

PANEL ON MULTIDISTRICT LITIGATION



John G. Heyburn II  
Chairman

D. Lowell Jensen

J. Frederick Motz

Robert L. Miller, Jr.

Kathryn H. Vratil

David R. Hansen

Anthony J. Scirica

A TRUE COPY, I HEREBY CERTIFY.  
J. T. MOBLIN, CLERK

BY:



J. T. MOBLIN  
DEPUTY CLERK

**IN RE: WAYNE FARMS LLC FAIR LABOR  
STANDARDS ACT LITIGATION**

MDL No. 1872

**SCHEDULE A**

**Middle District of Alabama**

Samuel Adams, et al. v. Wayne Farms LLC, C.A. No. 1:06-950  
Sonya P. Adams, et al. v. Wayne Farms LLC, C.A. No. 1:07-296  
Darren Anderson, et al. v. Wayne Farms LLC, C.A. No. 2:06-951  
Amos Akings, et al. v. Wayne Farms LLC, C.A. No. 2:07-297

**Northern District of Alabama**

Jimmy W. Belue, et al. v. Wayne Farms LLC, C.A. No. 4:06-2095  
Robert Thomas Dunn, et al. v. Wayne Farms LLC, C.A. No. 4:07-647  
James E. Bolden, et al. v. Wayne Farms LLC, C.A. No. 5:06-2096  
Pamela M. Allen, et al. v. Wayne Farms LLC, et al., C.A. No. 5:07-639

**Northern District of Georgia**

Christie Norman, et al. v. Wayne Farms LLC, C.A. No. 1:07-1154  
Joey Tate, et al. v. Wayne Farms LLC, C.A. No. 2:07-55

**Southern District of Mississippi**

April Agee, et al. v. Wayne Farms LLC, et al., C.A. No. 2:06-268  
Eula M. Keyes, et al. v. Wayne Farms LLC, C.A. No. 2:07-29

## UNITED STATES DISTRICT COURT

OFFICE OF THE CLERK  
 SOUTHERN DISTRICT OF MISSISSIPPI  
 Jackson, Mississippi

November 6, 2007

J. T. Noblin  
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245 E. Capitol St., Suite 316  
 Jackson, MS 39201

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 (601) 965-4439

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DEBRA P. HACKETT, C.  
 U.S. DISTRICT COURT  
 MIDDLE DISTRICT ALA

## DIVISIONS

SOUTHERN at Gulfport  
 2012 15th Street, Suite 403  
 Zip 39501

HATTIESBURG at Hattiesburg  
 701 Main St., Suite 200  
 Zip 39401

JACKSON at Jackson  
 245 E. Capitol, Suite 316  
 Zip 39201

EASTERN & WESTERN at Jackson  
 245 E. Capitol, Suite 316  
 Zip 39201

Debra P. Hackett, Clerk  
 U. S. District Court  
 Middle District of Alabama  
 P. O. Box 711  
 Montgomery, AL 36101-0711

## RE: MDL No. 1872 -- IN RE: Wayne Farms LLC Fair Labor Standards Act Litigation

Title Case(s):	Your Case Number(s):	New Case Number(s):
Samuel Adams, et al v. Wayne Farms	C.A. No. 1:06-950	C.A. No. 2:07cv1000KS-MTP
Sonya P. Adams, et al v. Wayne Farms	C.A. No. 1:07-296	C.A. No. 2:07cv1001KS-MTP
Darren Anderson, et al v. Wayne Farms	C.A. No. 2:06-951	C.A. No. 2:07cv1002KS-MTP
Amos Akings, et al v. Wayne Farms	C.A. No. 2:07-297	C.A. No. 2:07cv1003KS-MTP

Dear Clerk:

Enclosed is a certified copy of the Transfer Order from the Judicial Panel on Multidistrict Litigation transferring the above entitled actions to the Southern District of Mississippi, Hattiesburg Division. The cases have been assigned to Honorable Keith Starrett for coordinated or consolidated pretrial processing pursuant to 28 USC §1407.

If the cases are electronically filed, please e-mail the PDF documents, as separate files, including a PDF copy of the docket sheet to [interdistricttransfer\\_mssd@mssd.uscourts.gov](mailto:interdistricttransfer_mssd@mssd.uscourts.gov). If cases were not electronically filed, please provide certified copies of the docket sheet, complaint with any amendments. We appreciate your prompt attention to this matter.

Sincerely yours,

J. T. NOBLIN, CLERK

By:

L. Regan  
 Deputy Clerk

Enclosure